



AF 2157

Attorney Docket No. FOV0002-US (1310-006)

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

Serial No.: 09/606,683

Filing Date: June 30, 2000

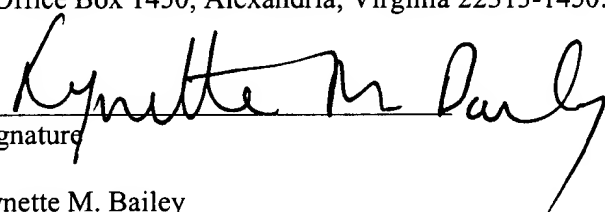
Applicant: Spalink et al.

Title: METHOD AND SYSTEM FOR CLASSIFYING
INFORMATION AVAILABLE ON A
COMPUTER NETWORK

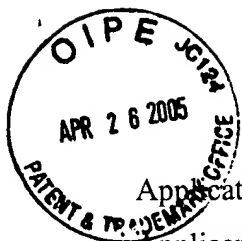
Date of Deposit April 22, 2005

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REQUEST FOR WITHDRAWAL OF FINALITY OF REJECTION
AND FOR THE ISSUANCE OF A NEW OFFICE ACTION; and
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Signature

Lynette M. Bailey



Application No.: 09/606,683
Applicant: Spalink et al.
Filed: June 30, 2000
TC/A.U. 2157
Examiner: El Chanti, Hussein A.
Docket No.: FOV0002-US (1310-006)
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Director of the USPTO

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**REQUEST FOR WITHDRAWAL OF FINALITY OF REJECTION AND FOR THE
ISSUANCE OF A NEW OFFICE ACTION**

Sir:

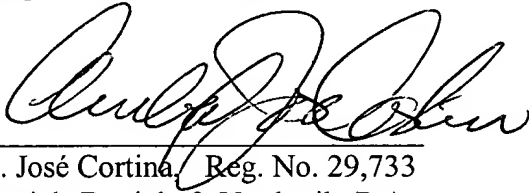
Applicant has received an Office Action dated April 4, 2005 which the Examiner has made final after the filing of a Request for Continued Examination. It is respectfully urged that the making of this Office Action final is improper and does not comply with the guidelines set forth in the Manual of Patent Examining Procedure.

More specifically, the Examiner's attention is invited to MPEP Section 706.07(h) and Paragraph XIII. In the MPEP it is stated that an action immediately subsequent to a filing of an RCE with a submission and fee under 37 1.114 may be made final only if the conditions set forth in MPEP Section 706.07(b) for making a first action final in a continuing application are met. Form paragraph 7.42.09 should be used if it appropriate to make the first action after the final filing of the RCE final. That form paragraph has not been used and a review of the detailed wording of the paragraph reveals that the Amendment filed and not entered after the Final Rejection does not satisfy the requirements of paragraph 7.42.09.

More specifically, the Manual of Patent Examining Procedure provides in part that all claims need to be drawn to the same invention claimed in the application prior to the entry of the submission and could have been finally rejected on the grounds of art of record in the next Office Action if they had been entered in the application prior to entry under 37 CFR 1.114. This requirement has not been satisfied and accordingly, it is respectfully requested that a new and Non-Final Office Action be issued and that the finality of the current Office action be withdrawn.

Dated: April 22, 2005

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'A. José Cortina', written over a horizontal line.

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Enclosure

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